

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

THE CITY OF HUNTINGTON,
Plaintiff,

v.

CIVIL ACTION NO. 3:17-01362

AMERISOURCEBERGEN
DRUG CORPORATION, et al.,
Defendants.

CABELL COUNTY COMMISSION,
Plaintiff,

v.

CIVIL ACTION NO. 3:17-01665

AMERISOURCEBERGEN
DRUG CORPORATION, et al.,
Defendants.

**AMERISOURCEBERGEN DRUG CORPORATION'S MOTION FOR JUDGMENT
UNDER RULE 52(c) BASED ON PLAINTIFFS' FAILURE TO PROVE CULPABLE
CONDUCT**

Pursuant to Fed. R. Civ. R. 52(c), Defendants AmerisourceBergen Drug Corporation herby moves for judgment on partial findings because Plaintiffs have not proven culpable conduct on the part of AmerisourceBergen Drug Corporation. The bases for this Motion are set forth more fully in the accompanying memorandum of law, which is incorporated herein.

Respectfully Submitted,

AmerisourceBergen Drug Corporation

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CERTIFICATE OF SERVICE

I hereby certify that on July 1, 2021, the forgoing *AmerisourceBergen Drug Corporation's Motion For Judgment Under Rule 52(c) Based On Plaintiffs' Failure To Prove Culpable Conduct* was sent to Counsel for the Plaintiffs and Defendants using the Court's CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Gretchen M. Callas
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